

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
WHitestone construction corp.,	:
	:
	Plaintiff,
-against-	:
	:
YUANDA USA CORPORATION,	:
	:
	Defendant.
-----X	

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GREGORY H. WOODS, United States District Judge:

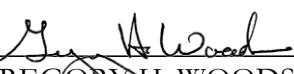
On December 21, 2020, the Court held a teleconference to discuss Defendant's motion for judgment on the pleadings, Dkt. No. 64, and Plaintiff's motion for summary judgment, Dkt. No. 72. For the reasons stated on the record during that conference, Defendant's motion for judgment on the pleadings is denied, and Plaintiff's motion for summary judgment is denied without prejudice.

Defendant's request for leave to amend its answer to include failure of a condition precedent as an affirmative defense, is granted. Defendant is directed to submit its amended answer no later than January 8, 2021.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 64 and 72.

SO ORDERED.

Dated: December 21, 2020

  
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GREGORY H. WOODS  
United States District Judge